THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15357 of 2006

Dated:25.07.2006

Between:

Pamidimukkala Ashok Babu S/o Sri Krishna Murthy.

..... PETITIONER

And

The State Election Commissioner, Government of A.P.,
Secretariat, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15357 of 2006

ORDER:

Rejection of nomination on the ground of non-acceptance of the resignation submitted by the petitioner-employee is the ground of attack in this writ petition.

The writ petition is filed for a Writ of Mandamus declaring the action of the respondent-election authorities, in rejecting the nomination of the petitioner to contest for the post of Sarpanch of Vellaturu Gram Panchayat, Battiprolu Mandal, Guntur District, basing on the orders of the second respondent in Rc.No.2402/06/A3, dated 19.07.2006, as illegal and arbitrary and pass such other suitable orders.

It is stated that the petitioner submitted his resignation to the post of Junior Assistant and then filed nomination to the post of Sarpanch in ensuing elections. It is also stated that the same was rejected on the ground of non-acceptance of his resignation.

Whatever the reasons may be, at this stage, it may not be appropriate for this Court to interfere with the process of election, when certain disputed questions of fact are involved. The petitioner is having a remedy by way of Election Petition before the appropriate Election Tribunal.

Giving the above said liberty to the petitioner, the writ petition is disposed of. No order as to costs.

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25.07.2006

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